

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

NORTHERN DYNASTY
MINERALS LTD. and PEBBLE
LIMITED PARTNERSHIP,

Case No. 3:24-cv-00059-SLG

Plaintiffs,

v.

U.S. ENVIRONMENTAL PROTECTION
AGENCY,

Defendant.

DECLARATION OF JAMES WHITTEN ADAMS

I, James Whitten Adams, hereby declare:

1. I make this declaration in support of the National Parks Conservation Association's (NPCA) Motion to Intervene in the above-captioned litigation. I know these facts of my own personal knowledge and would competently testify to them if called as a witness in these proceedings.

2. I am the Alaska Regional Director of the NPCA, a 501(c)(3) organization, and have been with the organization for over eight years. In my position, I advocate for Alaska's National Parks and set priorities for NPCA's Alaska office. I reside in Anchorage and am based at NPCA's permanent Alaska office. NPCA's main office is in Washington, D.C. The mission of NPCA is to protect and enhance America's National

Park System for present and future generations. NPCA has 4,210 members and supporters in Alaska.

3. NPCA seeks to halt the proposed development of Pebble Mine to protect Lake Clark and Katmai National Parks and Preserves and their wildlife for future generations. Bristol Bay is important to NPCA because it is home to two of the wildest, most spectacular national parks in the entire national park system—Katmai and Lake Clark National Parks and Preserves. Both parks' ecosystems depend on the broader Bristol Bay region's salmon runs. NPCA has opposed the Pebble Mine project since 2010.

4. NPCA is uniquely qualified to highlight and focus on the potential impacts to the parks. In my position as Regional Director, I spend approximately 30% of my time working on NPCA's efforts to protect Lake Clark and Katmai National Parks from development threats like the proposed Pebble Mine. NPCA has historically worked to educate its members and policy makers about the potential impacts of the mine to Lake Clark and Katmai National Parks and Preserves, as well as to wildlife and salmon that are at the heart of the parks experience. NPCA signed on to a letter asking the Biden Administration to veto the proposed Pebble Mine under Section 404(c) of the Clean Water Act, commented on the U.S. Environmental Protection Agency's (EPA) Revised Determination, and encouraged our members to comment as well. We fully supported EPA's 404(c) Final Determination (Final Determination) that is challenged in this case

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because it protects the Bristol Bay watershed from large-scale mining, such as the proposed Pebble Mine, which would irreparably impact the area's wetlands, waters, and fish that depend on them.

5. I, in my individual capacity, will also be harmed if the mine is developed. I have been to the Bristol Bay region at least eight times. I have visited McNeil River State Game Sanctuary twice, and I have visited Brooks Falls and the Katmai Preserve to view bears. I have also visited Alaska Rainbow Lodge on the Kvichak River to fish for salmon and trout and have visited Port Alsworth and Twin Lakes in Lake Clark National Park to hike and sightsee. Most recently, in 2022, I traveled with a group of veterans to watch bears in Lake Clark and took a second day trip to Katmai bear-viewing with visitors from out of state. I expect to continue to visit the Bristol Bay region and Lake Clark and Katmai National Parks and Preserves on a recurring basis and particularly look forward to arranging a visit for my kids to view bears.

6. If the mine is developed, the bear-viewing in Katmai and Lake Clark may be significantly affected by the mine and its transportation corridors. The bear population may be reduced, bears' behavior could change to be more wary of humans, and the sense of wilderness may be lost if infrastructure looms nearby to the bear-viewing areas.

7. As a hiker and sightseer, the mine and its infrastructure will impact my view on flights to Katmai and will impact scenic views from Lake Clark as well as light up night skies and lessen the experience of viewing the stars in the parks. Finally, the

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mine will impact the salmon populations that return to Katmai and Lake Clark, impacting both salmon and trout fishing success as well as the current experience of fishing in pristine waters.

8. EPA has rightly issued its Final Determination to protect against the contamination of Bristol Bay by mining wastes, but NPCA can only ensure that its and its members interests continue to be protected by intervening as a party in this lawsuit. We have engaged in this issue for over a decade. Whatever the end result of this lawsuit, it will have enormous implications for the ecological, cultural, and economic future of Bristol Bay and Lake Clark and Katmai National Parks and Preserves, and the ability of myself and NPCA's members to experience and recreate in those landscapes. NPCA seeks to intervene in this lawsuit to ensure the Bristol Bay watershed and the parks that rely on that watershed continue to thrive and our interests in the region's communities and fisheries remain intact.

9. The plaintiffs in this litigation seek to reverse EPA's Final Determination protecting the Bristol Bay watershed from large-scale mining, such as Pebble Mine, and this would severely harm the interests of NPCA and its members and supporters.

10. NPCA and our members and supporters have unique interests and concerns that will not be adequately represented by the U.S. Government. NPCA has heavily invested in protecting Bristol Bay from the proposed Pebble Mine and it has been a high organizational priority. We believe it is critical to defend the Final Determination and

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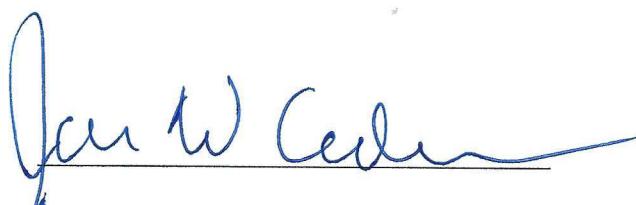
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EPA's finding that the proposed Pebble Mine poses unacceptable risks to the Bristol Bay watershed. We would therefore be harmed if Plaintiffs receive the remedy they seek—vacatur of the Final Determination. It is important for NPCA to be involved in this lawsuit to ensure that our interests and our members' and supporters' interests are adequately protected and that the Final Determination is allowed to stand.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 14th day of May 2024 in Anchorage, AK.



James Whitten Adams

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